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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

THE ESTATE OF ERIK A. POWELL,	)	CIVIL NO. CV04-00428 DAE-LEK
THROUGH PERSONAL	)	
REPRESENTATIVE MARY K.	)	DECLARATION OF ROGER
POWELL; THE ESTATE OF JAMES	)	LUKAS, PH.D.
D. LAUGHLIN, THROUGH	)	
PERSONAL REPRESENTATIVE	)	
RAGINAE C. LAUGHLIN; MARY K.	)	
POWELL, INDIVIDUALLY;	)	
RAGINAE C. LAUGHLIN,	)	
INDIVIDUALLY; CHLOE	)	
LAUGHLIN, A MINOR, THROUGH	)	
HER NEXT FRIEND, RAGINAE C.	)	
LAUGHLIN,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
CITY AND COUNTY OF	)	
HONOLULU,	)	
	)	
Defendant.	)	
	)	

**EXHIBIT** "36"

**DECLARATION OF ROGER LUKAS, PH.D.**

1. I am an expert retained by Plaintiffs in The Estates of Powell/Laughlin v. City and County of Honolulu, Civil No. CV04-00428 LEK.
2. Attached as Exhibit "1" is my curriculum vitae.
3. Attached as Exhibit "2" is a true and correct copy of my report which was generated on October 16, 2006.
4. The attached report is based on sufficient facts and data which are described therein.
5. The report contains my findings based on reliable principles and methods as described therein.
6. I applied these principles and methods reliably to the facts of this case.
7. My findings are contained in Exhibit "2."

I, ROGER LUKAS, PH.D., do declare under penalty of law that the foregoing is true and correct.

DATED: Honolulu, Hawai'i, January 16, 2007.

  
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ROGER LUKAS, PH.D.